

**MINUTES**  
**EAU CLAIRE LEGISLATIVE MEETING**

**Tuesday, June 14, 2011**

**City Council Chamber**

**4:00 p.m.**

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, David Duax, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, Mark Olson, Jackie Pavelski, Bob Von Haden, Thomas Vue, Dana Wachs, and Andrew Werthmann.

**CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, June 14, 2011. Council Member Von Haden requested that Agenda Item No. 23, "Resolution approving the bid and proposal for Procurement No. 2011-37, Citywide Concrete Construction, including Thorp Drive Reconstruction" be considered separately. Thereupon, a motion was offered by Council Member Werthmann and seconded by Council Member Balow "to adopt the consent resolution, except for Agenda Item No. 23". Said motion passed by unanimous vote.

**BID AND PROPOSAL FOR CITYWIDE RECONSTRUCTION**

The City Council considered a resolution approving the bid and proposal for Procurement No. 2011-37, Citywide Concrete Construction, including Thorp Drive Reconstruction. Thereupon, a motion was offered by Council Member Vue and seconded by Council Member Pavelski "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Mitchell, Olson, Pavelski, Vue, Wachs and Werthmann. Nay: Council Members Balow, Duax and Von Haden.

**COMMENDATIONS AND PROCLAMATIONS**

Council President Kincaid, on behalf of the City Council, proclaimed Sunday, June 19, 2011, as Juneteenth Day in the City of Eau Claire.

Council President Kincaid, on behalf of the City Council, proclaimed Friday, June 24, 2011, as Olympic Day in the City of Eau Claire.

**LICENSES**

The Council considered a resolution granting a Reserve Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to From the Vine, Inc., d/b/a From the Vine,

2526 Golf Rd., Kathy Nuenke, agent. Thereupon, a motion was offered by Council Member Von Haden and seconded by Council Member Duax "to adopt said resolution". Said motion passed by unanimous vote.

The City Council considered a resolution granting a permanent expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise if Last Hurrah, d/b/a Shots Bar, 2112 Esmond Road, to include an additional 7 ½ foot outdoor seating area. Thereupon, a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Wachs left the Council Chamber.

### **BOARDS, COMMITTEES AND COMMISSIONS**

The Council considered a resolution approving appointments to the following Boards, Committees and Commissions:

Administrative Review Board (two-year terms to expire June 30, 2013)

David Olson – new appointment

Sharon Leppert - reappointment

Affirmative Action Committee

Chris Kuna – new appointment to fill unexpired term to expire June 30, 2013

John DeRosier – reappointment to three-year term to expire June 30, 2014

Board of Heating Examiners (two-year terms to expire June 30, 2013)

David Davis – reappointment

Steven Fox - reappointment

Library Board (three-year terms to expire June 30, 2014)

Richard Lee – reappointment

Penny France - reappointment

Plan Commission (three-year term to expire April 30, 2014)

Dave Strobel – new appointment

Revolving Loan Fund Committee (two-year terms to expire June 30, 2013)

Larry Accola – reappointment

Karman Briggs - reappointment

Jim Mishefski – reappointment

Janet Tolander - reappointment

Christopher Caldwell – reappointment

Paul Vanderheiden - reappointment

Beverly Wickstrom - reappointment

Special Assessment Deferment Committee

Richard Golde – reappointment as alternate to a three-year term to expire June 30, 2014

Transit Commission (three-year terms to expire June 30, 2014)

Donna Berry – reappointment

Marie Schumacher – new appointment

Stephen Katrosits – new appointment to fill unexpired term to expire June 30, 2012

Thereupon, a motion was offered by Council Member Werthmann and seconded by Council Member Von Haden to “adopt said resolution”. Said motion passed by unanimous vote.

Council Member Wachs returned to the Council Chamber.

### **USE OF CITY FACILITIES**

The City Council considered a resolution authorizing the Gold Wing Road Riders to conduct a motorcycle parade in Carson Park and on Water Street on June 25, 2011. Thereupon, a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to approve said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the Paul Bunyan Logging Camp Museum to conduct the US Open Chainsaw Sculpture Championship in Carson Park on August 4-7, 2011. Thereupon, a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the Eau Claire Express to conduct a Hogs and Hops special event at the Carson Park Baseball Stadium on September 3, 2011. Thereupon, a motion was offered by Council Member Vue and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the American Foundation for Suicide Prevention to conduct the Out of the Darkness Community Walk on city trails on October 1, 2011. Thereupon, a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

### **ENCROACHMENT**

The City Council considered a resolution granting a permanent encroachment to Prairie Park Condominium Unit Owners Association, Inc. for a median entry water feature. Thereupon, a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt said resolution”. Said motion passed unanimously.

### **GRANT**

The Council considered a resolution authorizing the City to accept a \$5,000 grant from the Tony Hawk Foundation for the construction of a skate plaza at Lakeshore Park. Thereupon, a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to adopt said resolution”. Said motion passed by unanimous vote.

## **AGREEMENTS**

The City Council considered a resolution authorizing the City to enter into a shared services agreement with the Eau Claire Area School District for Parks & Recreation services. Thereupon, a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing an amendment to the 2005 Seven Mile Creek Landfill Expansion Final Negotiated Agreement. Thereupon, a motion was offered by Council Member Vue and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution continuing membership for 2011 for the Sister Cities program. Thereupon, a motion was offered by Council Member Duax and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Klinkhammer, Mitchell, Wachs and Werthmann. Nay: Council Members Kincaid, Olson, Pavelski, Von Haden and Vue.

Council Member Balow left the Council meeting.

## **JOINT FINANCE COMMITTEE RECOMMENDATIONS**

The Council considered a resolution opposing Joint Finance Committee recommendations to dismantle WiscNet and to return \$37 million in Federal funding to extend broadband service in rural Wisconsin communities, including Eau Claire and the Chippewa Valley. Thereupon, a motion was offered by Council Member Duax and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

## **ANNEXATION**

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15<sup>th</sup> Assessment Ward, 2<sup>nd</sup> aldermanic District, that part of Lot 5 of Block 3, King’s Addition, Town of Washington, located in the SE ¼ - NE ¼ of Section 32-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 11-03A (Norrish petition, 3566 Halsey Street). Thereupon, a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt said ordinance”. Said motion passed by unanimous vote.

## **ZONING**

The City Council considered an ordinance rezoning property at 3108 33<sup>rd</sup> Street from R-1A to R-1 as shown on Planning File #Z-1486-11. Thereupon, a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to adopt said ordinance”. Said motion passed by unanimous vote.

**STREET NAME – CARSON PARK**

The Council considered an ordinance naming certain roads within Carson Park as “Half Moon Drive” and “Pavilion Drive”. Thereupon, a motion was offered by Council Member Werthmann and seconded by Council Member Vue “to adopt said ordinance”. Thereupon, a motion was offered by Council Member Olson and seconded by Council Member Vue “to amend said ordinance by substituting the following street names in the ordinance: ‘Lake Street’ (from Menomonie Street to Lake Street), ‘Carson Park Drive’, (from Lake Street to Half Moon Drive), ‘East Half Moon Drive’ (from Lake Street to Carson Park Drive), and ‘West Half Moon Drive’ (from Carson Park Drive to Lake Street)”. Said motion failed by the following vote: Aye: Council Members Olson, Vue and Werthmann. Nay: Council Members Duax, Kincaid, Klinkhammer, Mitchell, Pavelski, Von Haden and Wachs. Thereupon, a motion was offered by Council Member Duax and seconded by Council Member Klinkhammer “to amend the indented language in the middle of this draft ordinance to read: ‘West Half Moon Drive’ (from the west part of Carson Park Drive to Pavilion Drive), ‘East Half Moon Drive’, (from Pavilion Drive to the east part of Carson Park Drive) and ‘Pavilion Drive’ (from Carson Park Drive to the junction of East and West Half Moon Drive)”. Said motion passed by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Mitchell, Pavelski, Von Haden, Vue, Wachs and Werthmann. Nay: Council Member Olson. The City Council then voted on the ordinance as amended. Said ordinance was adopted by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Mitchell, Pavelski, Von Haden, Vue, Wachs and Werthmann. Nay: Council Member Olson.

**STREET NAME – HARVEST COURT**

The Council considered an ordinance changing the name of Harvest Court to Mondovi Road, from Craig Road to 400 feet east. Thereupon, a motion was offered by Council Member Pavelski and seconded by Council Member Vue “to adopt said ordinance”. Said ordinance passed by unanimous vote.

**ANNEXATION**

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15<sup>th</sup> Assessment Ward, 2<sup>nd</sup> Aldermanic District, a parcel of land located in the East 25 acres of the NW ¼ - SW ¼ of Section 36-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 11-04A (Rosentrater petition, 5571 Prill Road).

**ADJOURNMENT**

A motion was offered by Council Member Werthman and seconded by Council Member Vue “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: June 14, 2011

Time: 6:19 p.m.

ATTEST:

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Kerry J. S. Kincaid, President

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Linda M. DesForge, Acting City Clerk